



GAIL FARBER, Director

**COUNTY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS**

*"To Enrich Lives Through Effective and Caring Service"*

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ALHAMBRA, CALIFORNIA 91803-1331

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ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

May 19, 2015


The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

39 May 19, 2015

  
PATRICK OGAWA  
ACTING EXECUTIVE OFFICER

**ADOPT CONTRIBUTION OF  
HIGHWAYS-THROUGH-CITIES FUNDING AND  
ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT  
INSTALLATION OF CLOSED-CIRCUIT TELEVISION CAMERAS  
COLIMA ROAD AND FULLERTON ROAD  
INTERSECTION IMPROVEMENTS, ET AL.,  
IN THE CITIES OF CLAREMONT, INDUSTRY, AND SAN DIMAS AND IN THE  
UNINCORPORATED COMMUNITY OF ROWLAND HEIGHTS  
(SUPERVISORIAL DISTRICTS 1, 4, AND 5)  
(4 VOTES)**

**SUBJECT**

This action is to authorize Highways-Through-Cities financial assistance to the Cities of Claremont, Industry, and San Dimas and to approve and advertise the Colima Road and Fullerton Road Intersection Improvements, et al., in the Cities of Claremont, Industry, and San Dimas and in the unincorporated community of Rowland Heights; find the project categorically exempt from the provisions of the California Environmental Quality Act; adopt Resolution No. 3946 and the plans and specifications; authorize the Director of Public Works or her designee to award and execute a construction contract with the responsible contractor with the lowest responsive bid; deliver the project; and delegate certain responsibilities to the Director of Public Works or her designee to carry out this project.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find that this project is categorically exempt from the provisions of the California Environmental Quality Act.

2. Adopt Resolution No. 3946 finding that the project is of general County interest and that the County of Los Angeles aid in the form of Highways-Through-Cities funds in the amount of \$819,000 shall be provided to the Cities of Claremont, Industry, and San Dimas to be expended in accordance with all applicable provisions of law relating to funds derived from the Proposition C local sales tax.
3. Approve and advertise the project and adopt the plans and specifications that are on file in the Construction Division of the Department of Public Works for installation of closed-circuit television cameras, at an estimated construction contract cost between \$525,000 and \$725,000.
4. Instruct the Acting Executive Officer of the Board of Supervisors to advertise for bids in accordance with the Instruction Sheet for Publishing Legal Advertisement, and which are to be received before 11 a.m. on June 16, 2015, in accordance with the Notice Inviting Bids.
5. Authorize the Director of Public Works or her designee to determine whether the bid of the apparent responsible contractor with the lowest apparent responsive bid is, in fact, responsive and, if not responsive, to determine which apparent responsible contractor submitted the lowest responsive bid.
6. Authorize the Director of Public Works or her designee to award and execute a construction contract with the responsible contractor with the lowest responsive bid within the estimated cost range and deliver the project.
7. Delegate to the Director of Public Works or her designee the following authority in connection with this contract: (1) approve and execute change orders within the same monetary limits delegated to the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code Sections 4100 et seq. and 5100 et seq., respectively; (3) accept the project upon its final completion; (4) release retention money withheld consistent with the requirements of Public Contract Code Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code Section 4104.5.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is for the Board to approve and advertise the project, adopt Resolution No. 3946 and the plans and specifications, authorize the Director of Public Works or her designee to award and execute a construction contract with the apparent responsible contractor with the lowest responsive bid, deliver the project, and delegate certain responsibilities to the Director or her designee to carry out this project.

Fiber-optic communications will be installed along Colima Road from Azusa Avenue to Stoner Creek Road and along Fullerton Road from Gale Avenue to Colima Road. Northbound Fullerton Road will be widened for an additional right-turn lane onto eastbound Colima Road.

Closed-circuit television cameras will be installed at the following locations:

- Colima Road at Stoner Creek Road
- Indian Hill Boulevard at Bonita Avenue
- Arrow Highway at Bonita Avenue

Additionally, Board adoption of the enclosed resolution approves a County of Los Angeles contribution of Highways-Through-Cities (HTC) funds of \$819,000 to finance the Cities of Claremont, San Dimas, and Industry's jurisdictional shares of the project cost.

Sections 1680-1683 of the California Streets and Highways Code provide that the Board of Supervisors of any County may, by a resolution adopted by a four-fifths vote of its members, determine that certain types of road improvements are of general County interest and that County aid shall be extended therefor.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Operational Effectiveness/Fiscal Sustainability (Goal 1) and Integrated Services Delivery (Goal 3). The recommended actions will help achieve these goals by providing improved traffic flow for the traveling public, which will benefit the Cities and community.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$525,000 to \$725,000. The total project cost is estimated to be \$1,378,000 with the County's jurisdictional share being \$559,000, the City of Claremont's share being \$29,000, the City of Industry's share being \$724,000, and the City of San Dimas' share being \$66,000. In addition to the construction contract cost, the total project cost includes the preparation of plans and specifications, consultant services, materials testing, construction engineering, inspection, contract administration, change order contingency, and other County services.

The project cost will be financed with \$616,000 in Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users Demonstration (SAFETEA-LU) funds; \$497,000 in Los Angeles County Metropolitan Transportation Authority Call for Projects, Proposition C Discretionary Grant funds for the San Gabriel Valley Regional Traffic Signal Forums; \$164,000 in Proposition C Local Return match funds; and \$101,000 in Road funds. On an annual basis, the Board has established a \$2,500,000 top-of-pot (TOP) allocation from the Proposition C Local Return Fund Budget for the County's Traffic Congestion Management Program. The \$164,000 will be funded from this TOP allocation. The \$819,000 in HTC funds consists of SAFETEA-LU funds, Proposition C Discretionary Grant funds, Proposition C Local Return funds, and Road funds. Financing for this project is included in the First and Fourth Supervisorial Districts' Road Construction Programs in the Road Fund and Proposition C Local Return Fund Fiscal Year 2014-15 Budgets.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The enclosed resolution has been approved as to form by County Counsel.

This project is part of the Department of Public Works' ongoing program for transportation system management. It will be advertised in accordance with Section 20392 of the State Public Contract Code.

This project is to be completed in 45 working days. It is anticipated the work will start in August 2015 and be completed in October 2015.

This project is Federally funded, which carries a funding deadline of July 23, 2015. California Department of Transportation (Caltrans) must approve the first invoice within a year from approval date (January 23, 2015) or the funds will be deobligated. There is a long process to get this approval including the approval of the Caltrans Awards Package by Public Works' Construction and Fiscal Divisions once this project has been awarded. Delegating to the Director or her designee the authority to award and execute this construction contract allows an expedited contracting process, in order to meet the Federal funding award deadline.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The award of the contract will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting the Board's ordinances, policies, and programs including, but not limited to: the County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the Los Angeles County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making an award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

## **ENVIRONMENTAL DOCUMENTATION**

This project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to Sections 15301(c) of the California Environmental Quality Act Guidelines and Class 1, Subsections (x)(4), (x)(14), and (x)(22) of the revised County Environmental Document Reporting Procedures and Guidelines adopted by the Board on November 17, 1987. These exemptions provide for modification of existing traffic signal systems; maintenance of existing roadway facilities;

and reconstruction of existing roadway pavement, curbs and gutters, sidewalk, driveway aprons, and drainage structures in place, including the removal of up to five trees within any 500 feet of road segment that are not rare plants.

### **CONTRACTING PROCESS**

This project will be contracted on an open-competitive bid basis. An award by the Director or her designee will be made upon review of the bids meeting the criteria established by the Board and the State Public Contract Code. The County Local Small Business Enterprise preference will not be applied to the determination of the lowest responsive and responsible bidder. To be eligible for Federal funds financing the majority of this project, Title 49, Code of Federal Regulations requires award to the lowest bidder.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on both the County's "Doing Business with Us" and Public Works' "Contract Opportunities" websites for upcoming bids.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

When the project is completed, it will have a positive impact by providing improved traffic flow thereby benefiting the Cities and community.

### **CONCLUSION**

Please return one adopted copy of this letter and one signed copy of the resolution to the Department of Public Works, Construction Division.

Respectfully submitted,



GAIL FARBER

Director

GF:JTS:lg

Enclosures

c: Chief Executive Office (Rochelle Goff)  
County Counsel  
Executive Office  
Internal Services Department (Countywide  
Contract Compliance)

**RESOLUTION NO. 3946 OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, CALIFORNIA, TO EXTEND COUNTY AID TO THE CITIES OF CLAREMONT, INDUSTRY, AND SAN DIMAS FOR THE PURPOSE OF INSTALLING A RIGHT-TURN LANE, FIBER OPTIC COMMUNICATIONS, CLOSED-CIRCUIT TELEVISION CAMERAS, AND TRAFFIC SIGNAL MODIFICATIONS**

WHEREAS, the CITIES OF CLAREMONT, INDUSTRY, and SAN DIMAS, hereinafter referred to as CITIES, and the COUNTY OF LOS ANGELES, hereinafter referred to as COUNTY, desire to install fiber optic communications on Colima Road from Azusa Avenue to Stoner Creek Road and from Fullerton Road from Gale Avenue to Colima Road, install a right-turn lane at the intersection of Colima Road and Fullerton Road, and install closed-circuit television cameras at the following locations: Colima Road at Stoner Creek Road, Indian Hill Boulevard at Bonita Avenue, and Arrow Highway and Bonita Avenue, which work is hereinafter referred to as PROJECT; and

WHEREAS, COUNTY proposes to construct PROJECT at no cost to CITIES; and

WHEREAS, portions of PROJECT are located and will be utilized within the jurisdictional limits of CITIES; and

WHEREAS, PROJECT is of general interest to CITIES and COUNTY; and

WHEREAS, the total cost of PROJECT is currently estimated to be One Million Three Hundred Seventy-Eight Thousand and 00/100 Dollars (\$1,378,000.00); and

WHEREAS, the total PROJECT cost will be financed with Six Hundred Sixteen Thousand and 00/100 Dollars (\$616,000.00) in Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users Demonstration (SAFETEA-LU) funds, Four Hundred Ninety-Seven Thousand and 00/100 Dollars (\$497,000.00) in Los Angeles County Metropolitan Transportation Authority (LACMTA) Call for Projects, Proposition C Discretionary Grant funds for the San Gabriel Valley Traffic Forums, One Hundred Sixty-Four Thousand and 00/100 Dollars (\$164,000.00) in Proposition C Local Return match funds, and One Hundred One Thousand and 00/100 Dollars (\$101,000.00) in Road funds; and

WHEREAS, on an annual basis, a Two Million Five Hundred Thousand and 00/100 Dollars (\$2,500,000.00) top-of-pot (TOP) allocation from the Proposition C Local Return Fund Budget has been established for COUNTY'S Traffic Congestion Management Program; and

WHEREAS, the One Hundred Sixty-Four Thousand and 00/100 Dollars (\$164,000.00) will be funded from this TOP allocation; and

WHEREAS, PROJECT is consistent with the scope of work for traffic improvements within CITIES pursuant to Memorandum of Understanding (MOU)

Numbers P0004243, P0006294, P0008121, and P00F1321 between COUNTY and LACMTA; and

WHEREAS, PROJECT is consistent with the scope of work for traffic improvements within CITIES per Federal earmark legislative description included in the SAFETEA-LU, and further included in the Federal Transportation Improvement Program; and

WHEREAS, PROJECT will be administered pursuant to Master Agreement No. 76078 and the PROJECT'S Program Supplement Agreement between COUNTY and STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (STATE); and

WHEREAS, such a proposal is authorized and provided for by the provisions of Sections 1680-1683 of the California Streets and Highways Code.

NOW, THEREFORE, it is hereby resolved as follows:

SECTION 1. The PROJECT is of general COUNTY interest and County aid shall be extended therefor.

SECTION 2. Subject to the terms and conditions set forth herein, COUNTY consents, pursuant to the provisions of Sections 1680-1683 of the California Streets and Highways Code, to extend aid to CITIES in the amount of Eight Hundred Nineteen Thousand and 00/100 Dollars (\$819,000.00) for PROJECT from the SAFETEA-LU funds, Proposition C Discretionary Grant funds, Proposition C Local Return funds, and Road funds, to be expended in accordance with all applicable provisions of law relating to funds derived from the Proposition C local sales tax.

SECTION 3. The financial obligations of the COUNTY are expressly conditioned upon obtaining reimbursement from LACMTA pursuant to MOU Numbers P0004243, P0006294, P0008121, and P00F1321 between COUNTY and LACMTA.

SECTION 5. If any provision of this resolution is held or declared to be invalid, the resolution shall be void and the consent granted hereunder shall lapse.

The foregoing Resolution was adopted on the 19<sup>th</sup> day of May, 2015, by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.



PATRICK OGAWA  
Acting Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By   
Deputy

APPROVED AS TO FORM:

MARK J. SALADINO  
County Counsel

By   
Deputy